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ABSTRACT

This paper, one in a series about the priorities of the professoriate, explores several alternatives to tenure for faculty and institutions. Data for the study was drawn from a series of site visits to seven institutions during winter/spring 1995-96. Seventy-one interviews were conducted with administrators, senior faculty, and full-time nontenured faculty. The first part of the paper discusses six models for full-time nontenurable appointments currently being used by colleges and universities, recording both faculty and administrator perceptions of how well the models work at the respective institutions. The models are: teaching appointments, professors of practice, research professors, distinguished senior lecturers, limited tenure situations, and integrated tenurable and nontenurable tracks in medical schools. The second part of the paper deals with the key themes underlying new employment options, including campus climate, culture, history, traditions, and tenured faculty attitudes. Also noted are questions relating to the status and integration of nontenurable faculty, job security, academic freedom, and career development and career paths. The paper concludes that while tenure will continue to exist, it will be only one among a series of career paths available to faculty as full-time nontenurable alternatives become more attractive to institutions and individuals. (Contains 14 references.) (CH)

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ED 424 820

Off the Tenure Track

Six Models for Full-Time, Nontenurable Appointments

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INQUIRY # 10

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NEW PATHWAYS: FACULTY CAREERS AND EMPLOYMENT FOR THE 21ST CENTURY
A PROJECT OF THE AMERICAN ASSOCIATION FOR HIGHER EDUCATION

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Judith M. Gappa is vice president for human relations and professor of educational administration at Purdue University. During 1980-1991, she was associate vice president for faculty affairs at San Francisco State University, where she was responsible for all personnel actions, affecting approximately 1,800 faculty. Previously, she held positions at Utah State University and the National Center for Higher Education Management Systems, in Boulder, CO. She has been a member of the faculty at San Francisco State University and Utah State University. Her most recent book, *The Invisible Faculty* (Jossey-Bass, 1993), coauthored with David Leslie, is about part-time and temporary faculty.

About the New Pathways Working Paper Series

The Forum on Faculty Roles & Rewards is a special program of the American Association for Higher Education (AAHE). It works with faculty leaders, senior academic administrators, trustees, legislators, and others interested in refocusing faculty priorities to address pressing institutional and societal needs.

To advance this agenda, AAHE initiated a project called "New Pathways: Faculty Careers and Employment for the 21st Century." The New Pathways Working Paper Series addresses key issues related to changing faculty careers and employment arrangements; the series consists of 14 papers to be released during 1996-1997.

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FOREWORD

In 1992, AAHE entered into the growing national debate about the priorities of the professoriate by establishing the Forum on Faculty Roles & Rewards — a program that sponsors an annual national conference, issues publications, and serves as a general clearinghouse. Thus, when tenure surfaced in the spring of 1994 as a major issue of conversation and media attention, we became an interested party in the discussion.

On reflection, we decided that what was needed was not another familiar debate about the pros and cons of tenure but a new dialogue — a dialogue in which tenure was placed in a larger context of fresh thinking about two questions: What career paths make sense for the professoriate of the 21st century? What varieties of employment arrangements might most appropriately undergird these paths?

We also concluded that what might best help campuses work through these questions was not more philosophical argument but concrete options: practical ideas about new career paths and imaginative employment arrangements that campuses could try on for size.

AAHE's New Pathways project seeks to carry out that agenda. Project activities include (1) sponsoring forums to advance the dialogue; (2) serving as a general clearinghouse; and (3) initiating investigations into selected, particular issues.

Central direction for the project is provided by a three-person team: R. Eugene Rice, director of AAHE's Forum on Faculty Roles & Rewards; Richard Chait, professor of higher education, Harvard Graduate School of Education; and Judith Gappa, professor and vice president for human relations at Purdue University. Richard Chait's part of the project, which focuses on creative employment arrangements, is supported by a generous grant from the Pew Charitable Trusts.

The project team in turn benefits from the wise counsel of a four-person national advisory panel: Richard Lyman, president emeritus, Stanford University (chair); Andrew Hurwitz, attorney; Ejner Jensen, professor of English and special counsel to the president, University of Michigan; and Linda Wilson, president, Radcliffe College.

We wanted to make our own investigations quickly available in a form that was affordable, easily duplicated, and suggestive of what they really are: works in progress, intended to stimulate and enrich further discussion.

Russell Edgerton

President, American Association for Higher Education

Off the Tenure Track: Six Models for Full-Time, Nontenurable Appointments

by Judith M. Gappa

Change is the order of the decade in higher education. No area of our collective endeavor — from curricular matters to financing — seems immune to its force. Perhaps the most far-reaching and potentially troublesome for the professoriate are those changes taking place in faculty employment. Academic reasons, economic realities, students' interests, and the desire for flexibility on the part of both individual faculty members and their institutions are all contributors. (See **Faculty Employment Profile** box.)

Fully 26 percent of full-time faculty are nontenurable; that is, their appointments as faculty members are with the explicit understanding that their positions are not and will not become tenure-track or tenured. Full-time, nontenurable faculty play an increasingly important role in higher education. Colleges and universities employ them for a variety of reasons:

- to use fewer part-timers and thereby achieve more continuity in academic programs and more commitment to the institution;
- to staff entire academic programs, specialized areas of the curriculum, or experimental programs;
- to focus on one particular area of faculty responsibilities such as teaching, research, or clinical practice;
- to capitalize on the significant experience and expertise available outside academe and thereby enrich the quality of academic programs, particularly in the professional schools.

For the most part, full-time, nontenurable faculty are satisfied with their employment and see it as an attractive alternative to the traditional tenure system. In most institutions, they receive considerably better treatment than part-timers. Salaries and benefits, membership in governance bodies, and access to professional-development opportunities similar to those of their tenure-track colleagues are common.

Faculty Employment Profile*

- Sixty-seven (67) percent of all faculty are full-time; 33 percent are part-time.
- Seventy-four (74) percent of full-time faculty are tenured (53%) or on the tenure track (21%).
- Fully 26 percent of all full-time faculty are not eligible for tenure, either because their institutions do not grant it or because their appointments specifically state that tenure is not available. When part-timers are added, half of all faculty are not eligible for tenure status.
- Only 64 percent of faculty hired in the last five years have tenure (23%) or are on the tenure track (41%). Revealingly, this is smaller than the proportion of all full-time faculty members who have tenure or are on the tenure track (74%).
- A larger proportion of full-time faculty in public institutions are eligible for tenure than in private institutions with similar missions. For example, 79 percent of faculty in public research universities, compared with 68 percent in private research universities, are tenure-track or tenured.
- The percentage of full-time faculty who are tenured or tenure-track varies by discipline. Agriculture and home economics have the highest percentage (71%), while engineering, social sciences, natural sciences, and humanities are all close to 60 percent. The professional schools (education, fine arts, business, and health sciences) range from 37 percent to 54 percent.
- The medical schools use the most full-time, nontenurable faculty appointments. By 1981, 72 percent of the 112 U.S. medical schools had nontenurable tracks. From 1983 to 1993, the total number of clinical faculty in medical schools nearly doubled, but the percentage in tenure-track or tenured positions had declined from 59 percent to 47 percent (Jones and Sanderson 1994: 773).
- Women are far more likely to be employed in nontenurable positions than are men. Of full-time men faculty, 78 percent are in tenured or tenure-track positions, compared with 53 percent of full-time women faculty. Sixty (60) percent of men faculty, compared with 28 percent of women faculty, have tenure.

*Except for the medical school data, these data are taken from the 1993 National Study of Postsecondary Faculty as cited in Zimbler 1994, NEA 1995, and Finkelstein et al. 1995.

Description of the Study

Many colleges and universities are examining their tenure policies and practices, seeking alternatives to the traditional tenure system that would be attractive to both institutions and individuals (Trower 1996b).

For this paper, I visited seven institutions during the winter and spring of 1995-1996. These institutions were identified by me, project team members, accrediting agencies, and professional organizations as having developed employment practices for full-time, nontenurable faculty. At each institution, I interviewed provosts, deans, chairs, and program heads; senior faculty who were involved in governance; and full-time faculty in nontenurable positions. In total, I conducted 71 small-group or individual interviews, using three different questionnaires. Sixty-eight (68) nontenurable faculty, 18 tenured faculty, and 49 administrators participated in this study. Interviewees are quoted throughout this paper.

The following institutions participated: American University; Harvard University's Graduate School of Education; Hastings College of the Law; New York University's Stern School of Business; Purdue University's Schools of Pharmacy, Nursing, and Health Sciences; Stanford University; and the University of Virginia's School of Medicine.

Full-time, nontenurable positions offer a wide array of meaningful alternatives to tenure for individuals and institutions. This paper explores those alternatives, drawing on data collected from a series of site visits, occasionally buttressed by other sources of information. (See **Description of the Study** box.)

Organization of the Paper

The first part of this paper discusses six models for full-time, nontenurable appointments currently being used by colleges and universities, and records faculty and administrator perceptions of how well the models are working at the site institutions. The models illustrate the wealth of possibilities available.

The second part of the paper looks at key themes and issues that cut across the six models: institutional culture, history, and traditions; status differentials and integration of nontenurable faculty; security guarantees; academic freedom; and career development.

PART I
EMPLOYMENT MODELS FOR FULL-TIME, NONTENURABLE FACULTY

Interviews during the study[1] led to the identification of six full-time, nontenurable employment models:

1. Teaching appointments
2. Professors of practice
3. Research professors
4. Distinguished senior lecturers
5. Limited tenure situations
6. Integrated tenurable and nontenurable tracks in medical schools

These models suggest the rich variety of appointments and career tracks that exist outside the tenure system. While there is overlap among them, each of the first four models has its unique purposes and characteristics. The last two models are examples of more generalized and widespread use of nontenurable faculty in a variety of assignments and appointment types.

Many of the nontenurable appointments in the models are new and evolving. Colleges and universities that have adopted new practices recently have not had time to fully implement them or to assess results. Interviewees were candid about the problems and limitations they were discovering and how such things might be "fixed" over time. The keys to success for institutions undertaking to examine and revise their faculty employment systems are: willingness to change, full participation of faculty in the change process, and flexibility and collegiality.

Where full-time, nontenurable positions are more established, faculty handbooks and policy statements clearly delineate their scope, boundaries, limitations, and prerogatives. By defining nontenurable faculty as members of the professoriate, these policy statements also extend to such faculty protections of academic freedom.

Some policy statements emphasize the differences between tenurable and nontenurable

[1] In addition to the data obtained during the site visits, policy documents from other institutions catalogued by Trower (1996a) are also used as examples.

appointments. Others emphasize the integration of nontenurable faculty and portray them as valued contributors with assignments different from, but equally necessary as, those of tenured faculty.

Model 1: Teaching Appointments

Colleges and universities are using full-time, nontenurable faculty to teach. Most faculty hired for teaching appointments are substitutes for tenure-track or part-time faculty.

Some institutions make liberal use of full-time, nontenurable faculty for teaching assignments across a wide range of disciplines, while others limit their use to specific departments or to a certain percentage of the tenured faculty. Bryn Mawr College, for example, makes a number of nontenurable faculty appointments of a continuing nature. These appointments are typical in certain programs, such as the arts, but are also used in foreign languages, mathematics, the physical sciences, and physical education ("Reappointment Procedures for Full- and Part-Time Instructors, Lecturers, and Other Faculty Members on Continuing Non-Tenure Track Appointment," September 1995).

Louisiana State University is considering a teacher/scholar track for individuals whose primary responsibility is teaching (Russell L. Chapman, personal correspondence, May 24, 1996). Northeastern University uses full-time, nontenurable appointments for its cooperative education coordinators (Halee Burg, personal correspondence, June 26, 1995).

As early as 1978, the AAUP noted the use of nontenurable employment:

> regularly funded fixed-term, annually renewable, or indefinite full-time, tenure-ineligible appointments (some of them with rather eccentric or unorthodox titles), running parallel to, and in many cases replacing, traditional tenure-track positions, have remained a persistent phenomenon in American colleges and universities. (1990: 40)

The AAUP cited three principal types of appointments: (1) one-year (or longer) appointments renewable without limit; (2) fixed-duration appointments with limited renewals; and (3) initial appointments of fixed duration that are explicitly not renewable under any circumstances, which the AAUP labeled "folding chairs" (AAUP 1990: 41f).

Full-time, nontenurable teaching contracts follow one of these three AAUP types. At some institutions or in some programs, the use and terms of full-time, nontenurable appointments are strictly limited. For example, American University uses full-time, nontenurable appointments to teach basic courses in foreign languages and English composition. These appointments are renewable annually for up to a maximum of five years and are restricted to individuals who do *not* have doctoral degrees. Critics report that the five-year cap on the length of appointment causes unnecessary turnover and

requires continuous training and staff development. One program head said: "We hire people, they get experience, and then we tell them they can no longer teach. But we need them!" In addition, since they know their appointments will end after five years, these nontenurable faculty must divert energy into a search for their next job, which erodes their commitment to the department and institution. As one faculty member said:

> Five years is silly. It's an arbitrary number. The University was foolish to let the other five [instructors] go. They had just gotten really skilled!

In contrast, American's Washington Semester Program employs nontenurable faculty in appointments that are multi-year and renewable without limit. (The Washington Semester Program is a cooperative venture with some 200 member colleges and universities whose students spend a semester in residence at American University.) The full-time, nontenurable faculty who teach in the Washington Semester Program are hired by academic departments, but their assignment is 100 percent in the Program. In addition to teaching, these faculty advise students, supervise internships and research projects, and arrange Washington experiences. As one faculty member pointed out, the renewable multiple-year appointments are essential.

> It takes stability to learn how to teach these students. We teach upper-level courses. Also, we have to *learn* Washington to get 40-50 speakers a semester and set up the internships. We have to know how you get into a White House briefing. It's terribly damaging to have turnover.

New York University's Stern School of Business uses a limited number (currently 8 percent) of its faculty positions for full-time, nontenurable faculty whom it calls "clinical" faculty but whose primary assignment is teaching. In order to make a clinical appointment, departments must choose to use one of their tenure lines for this purpose. Individuals holding tenure-track status cannot move to clinical status, a common prohibition at most universities that do not want their nontenurable tracks seen as "dumping grounds" for faculty unqualified for tenure.

Nontenurable faculty at the Stern School teach special areas of the curriculum. Business law and management communication are staffed *entirely* with nontenurable faculty whose primary assignment is in teaching and service, as at the Washington Semester Program at American University. The initial employment contract describes their teaching assignment and expected service contribution. It becomes the basis for subsequent evaluations and contract renewals in a rolling contract system. Changes in assignment are written into reappointment letters. As one administrator said: "The clinical contract customizes what we want; it matches faculty skills to our needs."

Faculty occupying nontenurable clinical positions in management communication and business law at the Stern School are seeking career opportunities in academe, and in some cases, a balance in their personal and professional lives:

> My career has been split between higher education and Wall Street. I earned a PhD from Columbia, with my MA and BA in communication, and taught full-time at the city and state universities. When I finished the PhD, I went to Wall Street for 10 years, working at IBM, Goldman Sachs, and Citibank. I was an assistant vice president at Citibank in marketing communication. The pressures of Wall Street are intense; 12-hour days were common. The level of stress was very high, the environment extremely competitive. I have one daughter; I had no time for my child. I thought about going back into teaching, but, I thought, let's see if my Wall Street experience was valuable. I was offered three different positions at three different schools and chose this one. It was the one I wanted most.

Because they teach in special programs that some of their tenured colleagues do not strongly support, some of these nontenurable faculty feel strongly about status differentials in their employment and their resulting vulnerability. One sore point was not having automatic voting rights.

> Every fall the faculty votes to let us vote. I *hate* that vote! ... By voting on our voting rights they are saying, "You're not really as good as we are."

These faculty who teach in specialized curricula where there are no tenured faculty also worry about the tenured faculty's knowledge of their areas when their promotion dossiers are considered:

> When our packages for promotion or reappointment go up, the P and T committee members don't know how to read them. They view it from their quantitative research framework.

In summary, full-time, nontenurable faculty positions are an attractive alternative to using large numbers of part-timers or expanding the use of tenure-track positions. Nontenurable faculty in teaching appointments are well qualified for their assignments and committed to their institutions. They provide institutions with flexibility, expertise, and some cost savings. They tend to be appointed with lower base salaries than their tenure-track counterparts, but their merit salary increases are based on performance and are comparable to tenure-track faculty's, and they usually have the same benefits.

There are also disadvantages to nontenurable teaching appointments. These faculty tend to experience some status differentials, such as the right to participate in governance or sabbatical leaves, which they resent. Their evaluations for reappointments can vary in quality and comprehensiveness. And, for some nontenurable teaching faculty, job security is a critical issue, depending upon the nature of their contract.

This model works best when institutions clearly define nonteaching assignments, integrate these

faculty into the professoriate and recognize their contributions, use renewable contracts, offer established career paths, and provide opportunities for professional growth.

Model 2: Professors of Practice

Professors of practice (also referred to as "clinical faculty" in some institutions) have assignments that focus on supervision of students in a practicum setting or that augment the curriculum of professional schools where knowledge of practice is essential. Professors of practice have extensive professional experience outside academe.

Purdue University's "University Guidelines for Clinical/Professional Faculty Within Purdue University" (May 26, 1994) captures the role of the professor of practice:

> Traditionally, teaching, research, and service have been the primary responsibilities of faculty within the university. A select number of university departments have faculty who are responsible for a unique aspect of this traditional triad termed clinical/professional practice. Unlike other faculty, these faculty have heavy clinical/professional commitments and spend the vast majority of their time in practicum settings. Rapid advances in theory and practice in every field dictate an expectation that graduates in specialized programs will have experienced the application of emerging theory in "best practice" settings. This expectation requires increased faculty supervision and guidance within carefully chosen clinical/professional environments. These expectations can be met more effectively if there exists flexibility in appointing faculty particularly suited to designing and maintaining educational programs in clinical/professional settings.

These nontenurable positions have established career paths that are similar to those for tenure. Most institutions, however, do not allow movement between the tenure and nontenure tracks, and some place limits on the number of clinical/professional faculty. For example, the limit at Purdue University is not more than 5 percent of the total faculty and 15 percent of the faculty in any department. Since the clinical/professional track is so new there, these limits have not yet been reached.

Purdue University's Schools of Pharmacy, Nursing, and Health Sciences originally proposed the new clinical/professional track and have been its biggest users. Clinical nursing faculty supervise students in hospital or clinical settings.

> They are the experts. They have to have or be eligible for certification for an area of nursing. They know what the undergraduates need to know. They are better than the tenure-track in the clinical areas. They are chasing 8-10 students up and down the halls supervising medications.

Clinical faculty in pharmacy practice are engaged in clinical teaching in hospitals and clinics throughout Indiana and are involved in patient care.

> We look at the clinical faculty from the perspective of enhancing education. We need the clinical faculty, people who want to be involved with students, innovative in labs, have a pedagogical focus. Their assignments are 40-45 percent clinical teaching, 40-45 percent patient care, and 10-20 percent scholarship. The clinical faculty want to be scholarly but not researchers. A large number of people want this type of position.

Clinical faculty in law schools supervise students handling law cases. At Hastings College of the Law, in San Francisco, both regular tenure-track and clinical tenure-track faculty have assignments in clinical practice. The clinical tenure-track faculty are the primary staff for the "in-house" clinic, in which they supervise students handling actual law cases. Contract clinical attorneys also supervise law students in the clinic, but within the personnel system at Hastings these attorneys are considered contract employees rather than faculty members.

The in-house clinic at Hastings was established by the faculty of the law school in 1991 after the California legislature made a supplemental appropriation for this purpose. The faculty's recommendation called for a parallel system of ranks and:

> a status called "clinical tenure" which confers "security of employment" only as long as the college continues to operate an In-House Clinic. ("Recommendation Regarding Status of New In-House Clinical Faculty," internal memorandum from Rank and Tenure Committee adopted by the faculty May 5, 1991)

The recommendation set a separate standard for scholarship for the in-house clinical faculty:

> a clinician's duties are of such nature that useful insights into important legal problems (scholarship) may be manifested in teaching materials and pleadings, briefs, motions, memoranda, and other documents prepared in the course of representing clients.

Clinical tenure-track faculty also differ from the regular tenure-track faculty in certain perquisites. The former do not have the right to vote on regular faculty appointments or the right to teach anywhere else in the law school.

The clinic is new. In time, it is anticipated that the newly hired clinical tenure-track faculty will receive tenure in the in-house clinic. With increasing acceptance of the clinic by the rest of the law school faculty, it is also anticipated that current voting and teaching restrictions on the in-house clinical faculty will gradually fade away.

The Stern School of Business at New York University and the Graduate School of Education at Harvard University also hire people with extensive experience in their professions, but their assignments differ from those of other clinical faculty. These professors of practice tend to be senior

people from their professions who augment the tenured faculty in curricular areas where knowledge of practice is critical.

Professors of practice in accounting at the Stern School are retired senior partners from major accounting firms. One of these professors described his background and reasons for being in teaching:

> I have a BA in Economics, and received an MBA from New York University in 1954. I left to go into public accounting for 40 years, 22 of them with Coopers and Lybrand. I've done it. I've been a junior accountant all the way to senior partner. ... I've been here for three years as a clinical professor, teaching auditing. Now they are asking me to consider teaching in the entrepreneurship program. ... There are certain courses you cannot teach because you have been academically trained. Auditing is comparable to surgery — if you have not performed it, you can't teach it. Academics who have stayed in academe can teach accounting — you can study it. But auditing is conceptual. It is a marriage of practice and theory — essential to the development of intuition and judgment. You can't do it without being out there — like driving a car. You can read all about it, but when you take the wheel of a car is when you learn how to drive. ... The business world is amenable to this. It doesn't derive from a natural science; it derives from practice. Students' understanding in certain areas must derive from practice.

Professors of practice at the Stern School are hired primarily to teach. However, as their colleagues recognize their experience and knowledge, they become more involved with the School. As one senior administrator remarked:

> They have been a godsend to the place; they are always willing to jump in and lend a hand. They devote lots of attention to teaching and students. They are among our most effective teachers.

A professor of practice observed:

> The concept of tenure is a good one. It is still the backbone of University staffing. But the University should be more open-minded. It should offer students the learning opportunities that career-oriented people bring to the classroom.

The Harvard Graduate School of Education (HGSE) has used nontenurable senior lecturers as professors of practice for years. A tenured professor commented:

> Senior lecturers do not have tenure. They are from the world of practice or policy. They have five-year renewable appointments. The tenured professors have chosen the life of the mind. The senior lecturers have chosen a life of action with reflection.

People with extensive experience in other settings such as school or college administration or public office are invited to the HGSE to head major programs (e.g., Teacher Education), teach, and do research on five-year renewable-term appointments.

In 1993, the senior faculty formalized the concept by approving the introduction of a full-time, nontenurable appointment, called "professor of practice" and defined as:

> A position to be held by a very small number of individuals who have distinguished records of service in educational practice, whose work has influenced the course of educational practice in the country (or elsewhere), and who possess the capacity to help HGSE students learn skills critical to leading distinguished careers in practice. (*Faculty Manual*, ver 1.4, September 1995, p. 14)

In summary, professors of practice are an invaluable resource to professional schools. They teach important components of curricula, supervise practicums, and usually have valuable contacts in the professional community that benefit students and colleagues. By making these appointments renewable instead of tenured, professional schools can remain current in the teaching of rapidly changing practical applications. Professors of practice typically enjoy the perquisites of the tenured faculty, except voting rights, and are fully integrated within their departments.

Model 3: Research Professors

Full-time, nontenurable research professors are employed to conduct research and supervise research facilities. Research faculty appointments carry with them the right to be a principal investigator (PI). Continuing appointments are contingent upon research professors obtaining outside funding for their salaries and research programs. Research professors are evaluated on their productivity in research, in contrast to the dual criteria of excellence in teaching and research commonly used for tenure-track faculty in research universities. While research professors reported that they may teach an occasional class and supervise graduate students, these classes and students are related to (and frequently employed by) their research programs. Teaching and service activities constitute a minimal part of a research professor's overall workload. As members of the professoriate, research professors have many of the perquisites of tenurable faculty, including rights to participate in governance and eligibility for sabbatical leaves.

Stanford University's School of Engineering hires both junior and senior people in research faculty appointments. When senior people are hired as professors (research), they have a greater role in their departments and possess many of the characteristics of Model 4: distinguished senior lecturers. One department chair commented:

> They've had their careers. ... We are bringing in people from NASA, the Air Force, and

> aerospace companies. They have their retirement. They don't care about tenure. They are fully integrated into the department. ... [This] is a small department. The only way we can maintain our excellence is with these people. They earn their entire salary. Of the last five we hired, four were members of the National Academy of Engineering. They are tremendous because they are happy. They don't teach, but they participate in every aspect of the department. They are 25 percent of our faculty; that's about right.

At Stanford University, there are three ranks for research professors: research assistant professor, associate professor (research), or professor (research). In everyday usage, the parenthetical designations may be removed for associate professors and professors, but they remain the official titles for publications and personnel actions. In the past, there was no promotion in these ranks. The only way to "move up" was by applying for an advertised position at another rank (*Faculty Handbook*, 5th ed, 1993, p. 16). Underlying this policy was a strong belief among some Stanford administrators and tenured faculty that the research professoriate should be available only for junior faculty starting their careers and senior people who have research credentials appropriate for appointment as professors. Others advocated the establishment of a research professor career track.

The Stanford University Senate approved a recommendation from the Ad Hoc Committee on the Professoriate in spring 1996, which authorizes promotions for the research faculty, places a six-year cap on appointments at the rank of research assistant professor, and allows for indefinitely renewable appointments at the associate professor (research) rank. In its recommendation, the committee noted that the "programmatic need" and "coterminous with funding" provisos that are part of research appointments would impose "considerable discipline on the total number of qualified individuals that can be appointed" ("Report of the 1994-1995 Ad Hoc Committee on the Professoriate," Senate Document #4518, December 1995). Stanford's new policy is similar to the policy on research faculty appointments at Carnegie Mellon University. While Carnegie Mellon's policy makes reappointment and promotion conditional on maintenance of a funded research program, it also stipulates that research faculty will receive at least a one-year notice of a decision not to reappoint ("Policy on Research Faculty Appointments," March 6, 1987).

Professors (research) tended to be relatively satisfied with their careers. A distinguished basic scientist in a medical school who had recently been promoted from a nonfaculty research scientist position said:

> I'm much happier now. I'm co-equal with other people in the department. It is a load off my shoulders. The glass ceiling has gone away. My spiritual horizon has been uplifted. I'm now a professor and have the ability to be a PI. I'm able to be recognized for what I'm doing. When I send a grant in, it's in my own name. I'm out there, exposed, known, recognized.

Another professor (research) in the basic sciences stated:

> For me the job security is not relevant. I don't see the pressure to provide my own salary as any different from the tenured faculty in the medical school.

Other research faculty feel differently:

> I view it as a different job than other faculty. I wouldn't carry teaching too. All the larger projects are run by research faculty. The job represents a hunting license.

Another faculty member said:

> Tenure means we have invested in this person. It is person oriented. Professor (research) means we've invested in this project for five years. It is project oriented.

In summary, nontenurable research professors perform a valuable function within research universities. As members of the professoriate, they have the same benefits as the tenurable faculty and many of the same perquisites. Those interviewed expressed satisfaction with their assignments and roles within the university. Some, however, expressed unhappiness with their lack of job security after years of dedicated service, and others commented about various status differentials. These topics are covered more extensively in the second part of this paper.

Model 4: Distinguished Senior Lecturers

Some institutions have hired senior individuals who are seeking new opportunities to use their experience after successful careers in academe or other professions. The distinguished senior faculty are, in some respects, similar to professors of practice or nontenurable teaching faculty, but their assignments differ. Distinguished senior lecturers teach throughout the curriculum and spend much of their time outside the classroom advising students or engaged in other student-related activities. Their relationship to their institutions is also less formally defined, and their employment is more flexible and based upon individual needs or desires.

Hastings College of the Law was a pioneer in employing faculty approaching retirement. Its Sixty-Five Club was born of necessity more than 50 years ago, when a dean died just weeks before the start of the fall term. The school could not recruit young scholars on such short notice, so it looked to the ranks of those "compulsorily unemployed" under mandatory retirement. Soon the Sixty-Five Club went from a one-time solution to standard practice. Hastings attracted leading scholars who had retired at age 65 from prestigious universities, often in the East or Midwest. By 1957, the average age of a full-time professor at Hastings was 73. Throughout the 1960s, a majority of its professors were Sixty-Five

Club members *(The Daily Journal,* San Francisco, June 22, 1993).

The program was extremely popular with students and is dear to the hearts of alumni, many of whom are members of the California legislature. With the end of mandatory retirement, however, the attractiveness of the Sixty-Five Club at Hastings has waned among leading scholars at other institutions. Only six Club members remain on Hastings's faculty. The Sixty-Five Club has been supplanted by a rank of "distinguished professor," which is not linked to age and includes judges and other outstanding individuals from the legal profession.

Sixty-Five Club members are on year-to-year renewable appointments and do not receive benefits. All other aspects of their employment are similar to those of tenured faculty members.

> Everything you do at Hastings is like you are a tenured member of the faculty. I thought this arrangement was fine. I believed in Sixty-Five Club. Now it is too hard to find people who will move who are truly distinguished.

Similar arrangements exist at other universities. American University's School of Public Affairs recruits distinguished professors from careers in government service. Appointments are on a year-by-year basis and are individually negotiated and renewed by mutual agreement between the faculty member and the dean. As one faculty member commented:

> We all came into it late in life and have independent incomes. We don't need salary and benefits now; we have our security and benefits elsewhere. ... We came because of the freedom to design courses, determine the content, and get involved in activities of our choosing.

These faculty see themselves as different.

> Students are working toward careers in government. We have a successful background there. We serve as role models. We help students make choices about careers. Each of us has retained our association with the federal government. We are very current and bring in lecturers who are names in the news. All of us are fellows of the National Academy of Public Administration.

They involve themselves in activities centered around students (e.g., cooperative-education programs, faculty advisor to an honorary society, start-up of a Phi Beta Kappa chapter, internship programs) and continue to write and publish.

> When we first came, faculty didn't take us seriously. But individually and collectively over the years, we've made such an impact. We help smooth the waters. We are respected and trusted. Two of us are pulling out (after 20 years!). It is a tremendous blow. It is important to the faculty to replace us.

Like American University's School of Public Affairs, NYU's Stern School of Business is in a similarly rich location to recruit distinguished senior faculty.

> We have a huge pool and can select the very best. This is how [recruitment] works. He and I will chat, we'll assign a course, then we'll move the individual to a clinical position. We grow our own. This is the world's finest business community.

The distinguished senior faculty at the Stern School do not feel the status differentials and vulnerability experienced by their nontenurable colleagues, who are building academic careers:

> I've been completely accepted here. The tenured faculty are my friends. We talk about issues. They seek me out. I try to be helpful. It is nice. Older persons with experience are granted respect for what they have done. They view me as one of their own. I have the same quality they have from the 40 years of highly successful experience as a senior partner in one of the Big Six firms. I've done a lot of things; written a couple of books. It's a background they can understand as academicians. I have national and international recognition.

In summary, distinguished senior lecturers provide a rich supplemental resource to the tenured faculty. They bring to their departments recognition, stature, and important insights from their lengthy careers. In addition to teaching, they spend a great deal of time with students and student activities. They also work collaboratively on various projects with their tenured colleagues and can be helpful to junior faculty. Because they have retirement incomes and benefits, they are less concerned about these aspects of their employment.

When the Exception Is the Rule: Models 5 and 6

Models 5 and 6, which follow, are different from the preceding models, in that Models 1, 2, 3, and 4 defined types of nontenurable appointments from the perspective of assignment and role within the institution. (See **Distinguishing Characteristics** box for a summary of their characteristics.)

Models 5 and 6 apply the preceding models to relatively large numbers of nontenurable faculty. Models 5 and 6 are examples of how different reasons for and approaches to comprehensive use of nontenurable faculty can work. Because of their complexity and breadth, they are discussed in more depth.

Model 5: Limited Tenure Situations

Tenure policies at several institutions limit the number of faculty with tenure to such an extent that full-time, nontenurable faculty constitute a significant proportion of the total faculty. In this situation, nontenurable faculty have assignments that match some or all of the preceding models. The Harvard Graduate School of Education (HGSE) is a special example of widespread use of nontenurable

Distinguishing Characteristics of Models 1-4

Model 1: Teaching Appointments

- Teach primarily at the undergraduate level across a wide range of disciplines. Some teaching appointments also require service contributions.
- Have established career tracks for teaching appointments, with promotions and three- to five-year renewable contracts after initial annual renewals at some institutions.
- Base salaries tend to be lower than tenure-track faculty; salary increases and benefits are comparable. Some status differentials; e.g., participation in governance or sabbatical leave eligibility.
- Job security is an issue for most of these faculty.

Model 2: Professors of Practice

- Supervise students in a practicum setting or teach areas of the curriculum in professional schools where knowledge of practice is essential.
- Appointments tend to have established career tracks similar to tenure-track faculty.
- Most have extensive experience outside academe and valuable contacts in the professional community that benefit students and colleagues.
- Senior professors of practice usually do not experience status differentials, and have perquisites similar to tenured faculty's.

Model 3: Research Professors

- Conduct research and supervise research facilities in research universities. Teaching and service activities constitute a minimal part of their overall workload.
- Continuing appointments are contingent on their obtaining outside funding for their salaries and research programs.
- Usually have same benefits and comparable salaries to tenure-track faculty, rights to participate in governance, and eligibility for sabbatical leaves.
- Job security is an issue for some.

Model 4: Distinguished Senior Lecturers

- Senior faculty who bring recognition, stature, and important insights after lengthy and distinguished careers in academe or other professions.
- Teach throughout the curriculum, engage in student-related activities, and work on collaborative projects with tenured colleagues.
- Appointments tend to be on year-by-year basis, individually negotiated.
- Do not experience status differentials and are not interested in career tracks, job security, or income and benefits.

faculty in a university where tenure is limited.

The HGSE follows Harvard's tenure policies, which allow tenure only at the rank of professor. Within the HGSE, and in keeping with those policies, tenured professorships occur only when there is sufficient funding to support the position and prior authorization by the senior faculty. The HGSE *Faculty Manual* (ver 1.4, Sept 1995, p. 7) states:

> Tenured professorships require the prior authorization of a tenured slot by the Dean and Senior Faculty. The University-wide policy of supporting tenured commitments with endowment income makes the number of available tenured positions at HGSE very small. By vote of the senior faculty on May 28, 1985, a decision was made to utilize national search procedures for filling all tenured slots. ... As a consequence, a number of assistant professors will continue their academic careers elsewhere; individuals who are appointed or promoted to associate professor are not assured of appointment to tenured professor. If a search is authorized for a tenured professorship in the field of specialization of any member of the faculty, she/he is eligible to apply for the position.

On December 14, 1992, the senior faculty of the HGSE voted the use of special procedures for unusual "targets of opportunity" (p. 16):

> Targeted tenure procedures are used only in the rare circumstance in which all three of the following conditions are met: (1) there is a very clear definition of the position that needs to be filled ... ; (2) there is an individual who, as a result of a record of extraordinary, nationally recognized scholarship, distinguished teaching, and significant service, represents a rare opportunity (this individual could be a person outside the school or a nontenured member of the HGSE faculty); (3) three-fourths of the school's full professors who are in residence vote to invoke the targeted set of procedures.

The targeted procedures are so rigorous that they discourage frequent use. Further, the recruitment and evaluation of candidates in a national search for a tenured professorship is equally rigorous. Finally, award of tenure requires a positive decision by the HGSE and, subsequently, by Harvard University (p. 18).

The outcome of HGSE's and Harvard University's requirements to achieve tenured professorships is relatively few tenured faculty. Instead, in addition to the tenured professors, there are three categories of nontenurable faculty within the HGSE. In the first category are full-time, nontenurable senior lecturers and professors (term), who are members of the senior faculty and participate in the governance of the HGSE. The remaining two categories include junior lecturers and assistant and associate professors. Junior lecturer appointments are usually annual, renewable without limit, and for the stated purposes of teaching, advising, and committee services. The lecturers interviewed were engaged in a variety of activities. The ranks of assistant professor and associate professor are term appointments and carry no presumption regarding tenure. Assistant and associate

professors (called "ladder rank" faculty) are appointed for an initial period of three to five years. After review, extension of this term is possible. An extension in either or both ranks cannot exceed a total of 10 years if the appointment was initially full-time or 13 years if the appointment was initially part-time. There are no exceptions to the 10/13 rule for ladder rank faculty (p. 10).

During the 1996-1997 academic year, there were 25 tenured professors (43%), 7 nontenurable professors (term) or senior lecturers (12%), 12 junior lecturers who were more than half-time (21%), and 14 ladder rank assistant and associate professors (24%).

The culture and governance within HGSE are critical to the success of this faculty employment system. The senior faculty, composed of senior lecturers and professors, review all ladder rank faculty promotions and reappointments, and all lecturer appointments and reappointments. One administrator commented on the process:

> People take part in faculty governance because they recognize their responsibility and it is a positive experience. There is genuine regard and respect for each other. These people deal with divisive issues and are straightforward about conflict. ... A proposal for a faculty appointment will be presented and discussed in the first meeting; and discussed again in the second meeting. At the third meeting we make a decision. The votes are open. People say where they stand. It does not leak all over the school. We spend a huge amount of time on faculty governance matters.

HGSE's system works well for the nontenurable senior lecturers and professors (term) who are members of the senior faculty. These faculty are already established in their fields and negotiate their employment contracts, including some perquisites, individually. Nontenurable senior faculty are very satisfied with their situations.

> My whole career has been in academe and off the track; it's been an idea-driven career. I've paid no attention to what one needs to succeed, and I've had an extraordinarily rich career.

> I have had a completely idiosyncratic career at Harvard; a very active collection of involvements in which Harvard has been the main base. Harvard has been an asset.

> For a 10-year period, the president suspended tenure in the HGSE by fiat as a precursor to dissolution of the school itself. This was a godsend to me. I couldn't get tenure, so I didn't think about it.

Junior lecturers are often Harvard graduates who are not willing to leave the Boston area. These lecturers are creative, independent risk-takers. They work on various projects, moving laterally from one project to another to build their portfolios while teaching, engaging in service, or doing research. Their lecturer positions are usually in combination with other administrative assignments or external

positions; this arrangement gives them some stability. Thus, they perceive their lecturer positions as more secure than the assistant or associate ladder rank positions, which are term appointments. They also see themselves in a symbiotic relationship with the HGSE. Their HGSE affiliation enables them to maintain an academic identity and build their portfolios without the pressure of review in tenure-track status:

> Our security is in our portfolios, and having Harvard helps. ... Harvard opens lots of doors for us; it provides us with opportunity.

The lecturers felt strongly that the careers they are experiencing are only possible in the Harvard environment.

> Very few senior positions would give the range of things I do. Varied roles give me unlimited opportunities. If you respond to these incentives, you'll build your career. This unlimited opportunity wouldn't be available somewhere else.

MOST SENIOR FACULTY RECOGNIZE THAT THE LACK OF A CAREER PATH OR GUARANTEE OF A CONTINUING CAREER FOR THE LADDER RANK FACULTY AFFECTS COLLEGIALITY, ACADEMIC FREEDOM, AND PARTICIPATION IN GOVERNANCE.

The ladder rank faculty with renewable terms not to exceed 10 years feel more pressure and are more vulnerable than their lecturer colleagues.

> This is a very supportive place but there isn't anyone looking out for me. I need a mentor and a monitor; I need someone tracking me, guiding me more. There is no one to teach me the ropes.

Most senior faculty recognize that the lack of a career path or guarantee of a continuing career for the ladder rank faculty affects collegiality, academic freedom, and participation in governance:

> We have tended to use people up and kick them out. ... Now we need to change and focus on their career preparation so they succeed. I define "succeed" as a suitable academic position in a good school.

Others commented on the need to hire more ladder rank faculty and their desire to be at HGSE.

> We will still have a junior faculty ladder rank. This is Harvard. It is unattractive in some ways, but it is attractive in others. There are light teaching loads, small classes, no undergraduate teaching, and only three courses a year. The administrative load is light because all decisions are made by the senior faculty. The students and colleagues are great. Harvard produces opportunities and resources. It's all very attractive.

In summary, the HGSE illustrates that a variety of nontenurable appointments can be used when tenure is limited. For the most part, the system is successful. Nontenurable senior faculty enjoy

a status within HGSE that closely approximates that of the tenured faculty. They negotiate their employment arrangements individually and have long-term careers at HGSE. Junior lecturers consider HGSE an opportunity for career growth through wide-ranging involvements in many different projects and activities. The ladder rank faculty have the least career possibilities at HGSE. Their lack of a career path was one of the most discussed drawbacks of the HGSE system during interviews.

Model 6: Integrated Tenurable and Nontenurable Tracks in Medical Schools

Dramatic shifts in the sources of medical school funding and decreased demand for specialist services are changing the very nature of medical schools and their faculty roles and rewards structures (Bland and Holloway 1995; AAUP 1996). The mission of medical schools — to educate and train doctors and perform biomedical, behavioral, and health services research — has depended to a great extent upon clinical revenues. Funding for the largely nontenure-track clinical appointments is dependent on the affected faculty members generating sufficient income to pay for their services and other medical school purposes. Recent pressures — for example, the growth of managed care organizations and cost-control practices — have forced physician faculty to perform more direct patient care while bringing in less revenue due to shrinking reimbursements for clinical services. At the same time, medical school reliance on this funding has increased from 3 percent to 45 percent since 1960. "Quite simply, if faculty roles and rewards within medical schools do not change, the schools will be bankrupt" (Bland and Holloway 1995: 32).

To meet these external pressures, medical schools have been changing rapidly. As one department head remarked:

> Everything is changing. Anything you did five years ago is up for grabs. Everything is outdated so fast. It's like a sailboat; tacking it one way or the other in a big wind.

The comprehensive model of faculty employment at the University of Virginia's School of Medicine is an example of how medical schools are meeting the challenges of rapid change by integrating full-time, nontenurable appointments with tenure-track faculty, and by reformulating the faculty career to meet the needs of medical schools and those they serve. The School of Medicine has 690 full-time faculty (408 in tenured or tenure-track positions and 282 in nontenurable positions), 80 part-time faculty, and 725 volunteer clinical faculty.

The School of Medicine has a promotion and tenure policy that has been in place three years

and is separate from the rest of the university. The School undertook an extensive consultation process, involving the dean, chairs, and tenured and nontenurable faculty, to develop the P and T policy. The result has been widespread faculty acceptance and commitment to making the system work. As one clinical faculty member put it: "The P and T document is a positive message from the dean to be fair to all faculty here. He is a person of integrity trying to do the right thing." The P and T policy treats all faculty as equals and fosters an environment of faculty development, career growth, and accountability to the school's mission.

The key feature of the new P and T policy is the creation of six faculty tracks, which are linked directly to the research, teaching, and service functions of the School of Medicine. Three of the tracks (academic investigator, clinician investigator, and clinician educator) require tenure for long-term employment; three tracks (clinical, research, and instructional faculty) do not have tenure as an option. Movement among the tracks is discouraged.

The P and T policy defines what constitutes excellence in scholarship, teaching, research, and clinical service and how each can be demonstrated. For each of the six faculty career tracks, the policy clearly delineates the criteria, probationary periods for tenure (where applicable), and portfolio prototypes. Within each track (whether tenurable or not), it specifies the accomplishments and types of documentation required for promotion to each rank. A detailed checklist of the promotion and tenure review procedures and a description of the responsibilities of the faculty member, department chair, and deans make each step of the process very clear. Departments forward dossiers for promotion and/or tenure to the School of Medicine's Promotion and Tenure Committee. One member commented:

> Because the system is new, a major problem has been communicating to department chairs that we are serious about annual reviews. It didn't sink in until some of the promotions were rejected. We had task forces on documentation of teaching and clinical work. Three years later we have improved every aspect of our evaluation documentation. The P and T Committee is getting better information. All faculty understand we really mean *demonstrated* excellence.

After review by the P and T Committee, the final recommendation is made by the dean. There is no review at the university level.

Appointments of nontenurable faculty are in accordance with the procedures for tenurable or tenured faculty. All nontenurable appointments must be recommended by a department chair and approved by the dean, vice president and provost for health sciences, and, ultimately, the University of Virginia Board of Visitors. Nontenurable appointments are on a contractual basis for up to three

years. These appointments are renewable indefinitely with the mutual consent of the individual and the department chair.

Decisions regarding which career track will be used for each appointment are based on each faculty member's major focus of effort and are made at the time of initial appointment. Each letter of appointment specifies the track and contains a detailed job description. This initial appointment letter and subsequent modifications to it become the basis for all reviews for promotion and/or tenure.

Faculty members appreciate the idea that they can participate in choosing the most appropriate career path for themselves. As one clinical faculty member remarked:

> Flexibility is a big determinate of where I am — I have a young child. I have control over my life and I want that. I can control my schedule, the research I do, the topics I choose, and my professional practice.

The choice between a tenurable track and a nontenurable track is seen by many faculty as a choice of career emphasis. Faculty discussed the advantages and disadvantages of the short-term risk of being denied tenure and the longer-term risk of lack of job security. Job security for all faculty is clearly linked to productivity in meeting the needs of the School of Medicine. This environment serves to eliminate status differentials.

> There is no way to tell who's tenured or not. I don't know what it means. We don't feel a status differential. The bigger issue is specialty vs. generalists. ... My clinic is losing money. Medicare is taking care of this. As these payments ratchet down, it may make changes in the way I practice. My problems are with the medical economics in the country. Tenure has nothing to do with my status.

The faculty member and the chair are responsible for developing a clear understanding of each faculty member's goals (based on the initial appointment letter), supported by plans for developing and documenting accomplishments in an academic portfolio. Reviewing and updating the portfolio is the responsibility of the faculty member, in consultation with the chair. An annual review at the department level is required. The responsibility of the department chair is explicit:

> The appropriate department chair must assess the assistant professor's ability, encourage his/her continuing education and training, document his/her professional growth, and aid him/her in setting goals. The chair must then assume the responsibility for providing the assistant professor appropriate support that he/she may have a reasonable opportunity to achieve his/her goals. The chair must assume some of the responsibility for the assistant professor's achieving promotion and, therefore, some of the onus if he/she does not. ("Promotion and Tenure Policy," December 18, 1995, p. 51)

To assist faculty who are adjusting to the new system, the School has developed an extensive orientation program and a comprehensive faculty mentoring program for all junior faculty.

The Harvard Medical School and its 18 affiliated hospitals and research institutes use a multiple-track system similar to that at the University of Virginia School of Medicine. Harvard's Medical School has five tracks recognizing different contributions from faculty: laboratory investigators performing basic research, clinical investigators performing clinical research, teacher clinicians whose scholarly contributions are in medical curricula or in pedagogy, clinician scholars whose scholarly contributions are in clinical care and clinical teaching, and part-time faculty who are physicians with a part-time academic commitment ("Procedures for Making Permanent, Term and Annual Appointments," April 1995). Faculty may move from one track to another, and faculty in any of the four full-time tracks who are at the rank of professor are eligible for tenure. No status differentials are implied in the five tracks; contributions in each track are equally important.

The teacher clinician track at Harvard's Medical School is new, with the first appointments coming in 1989. In its first five years, 1989-1994, the Medical School promoted 70 out of 94 candidates in the teacher clinician track, and 12 more were still in process (Lovejoy and Clark 1995: 1083). At the University of Pennsylvania, a similar nontenurable clinical educator track, established in 1977, grew to 26 percent of the medical faculty in its first six years (Parris and Stemmler 1984: 470).

The University of Nebraska Medical Center has gone a step further and appoints all new faculty to a Health Professions Appointment (HPA). HPAs are contract appointments for up to five years, renewable indefinitely. Faculty may apply for tenure at any time, but they do not need to do so to remain employed (Trower 1996b: 5). A survey at the University of Nebraska showed that faculty perceived the new HPA system as having a positive effect on recruitment, and as preserving traditional academic values while adapting to the needs of a more diverse faculty (Wigton and Waldman 1993: 191).

In summary, the medical schools are using nontenurable faculty as basic sciences researchers, clinicians, and teachers. By far the greatest number and highest percentage of full-time, nontenurable faculty among the site institutions visited were in the medical schools. Because of the nature of the profession, status differentials are minimal.

Some in higher education see the medical schools as unique; others view what is happening in medical school faculty appointments as foreshadowing what is in store for the rest of the academy. In either case, the medical schools' multiple career tracks based on assignments, elimination of status differentials between tenurable and nontenurable appointments, and emphasis on career development in all the tracks are worth consideration in other professions and disciplines within higher education.

PART 2
KEY THEMES UNDERLYING NEW EMPLOYMENT OPTIONS

This second part of the paper explores in more depth key themes and issues that cut across all six employment models.

Culture, History, Traditions, and Tenured Faculty Attitudes

Campus climate, culture, history, and current situations underlie the reasons why colleges and universities choose their faculty employment systems. While most institutions endorse the AAUP's *1940 Statement of Principles on Academic Freedom and Tenure,* they develop their own particular institutional policies, procedures, and practices based upon their individual circumstances and beliefs. A large number of colleges and universities are reexamining their individual institutional policies and practices.

The professions or disciplines are a primary source of institutional culture. Professions such as medicine, law, education, and business attach much greater legitimacy to practice of the profession than do the arts and sciences. Thus, within the same college or university, cultural differences may be great among various schools or units. These professional differences influence the acceptability and use of the different models of full-time, nontenurable appointments. When the various types of nontenurable appointments are available within an institution, their use tends to be concentrated in the professions or in teaching appointments.

Some institutions embrace alternatives to tenure and see the advantages of nontenurable faculty. Other institutions with different cultures define faculty employment as tenure-track and see other options as "second class," with various restrictions and limitations. Occasionally, this is linked to a culture that views research as the primary responsibility and most important accomplishment of the faculty: Faculty who are not employed to do basic research are thus automatically "second class."

Faculty handbooks reflect the culture and beliefs of their institutions. How much the tenured and nontenurable tracks are integrated, how clearly the various tracks are explained, whether or not the handbook is up-to-date and reflects current practices and beliefs, and how well known and used the handbook is among faculty are all important indicators of how well the tenure- and nontenure-

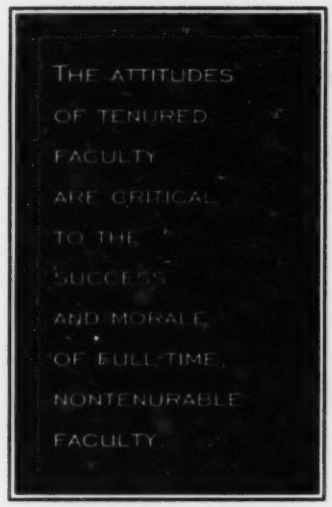
track faculty employment systems are working.

The role and beliefs of department chairs are also critical to the success of nontenurable faculty. In a discussion of how to make the new faculty employment system work at the School of Medicine at the University of Virginia, one chair said:

> We hoped when this was created that we would have a nontenure-track that was on par with tenure-track, with all the benefits, status, and recognition without starting the tenure clock. We hoped we were getting away from second-class citizens.

Department chairs there have enormous financial responsibilities. And yet, these chairs are deeply concerned about the futures of all their faculty and spend considerable time on their development. A chair of a large clinical practice department said:

> I have a self-assessment questionnaire. Each (junior) faculty member completes a questionnaire each year. Then I have a one-on-one meeting. We talk about promotion and/or tenure and go over the P and T document and committee rules. The annual review is a time for mentoring. I put it all together, the annual review, promotion, tenure if appropriate, salary increases, and incentives. It is a big deal.



Status and Integration of Nontenurable Faculty

In interviews, some nontenurable faculty members clearly felt they were fully integrated, contributing members of the faculty. Others felt equally strongly that they were second-class citizens. Full-time, nontenurable faculty perceive their status differently for a variety of reasons.

The attitudes of tenured faculty are critical to the success and morale of full-time, nontenurable faculty. These attitudes are rooted in the cultures of the various disciplines and professions. While the tenured faculty in the Purdue University Senate viewed the creation of a new nontenurable clinical/professional track with ambivalence and put strict limits on its use, the tenured faculty within the disciplines of pharmacy practice and nursing were ecstatic about the new clinical faculty track:

> Everyone contributes to the teaching enterprise. We recognize the contribution. It is a team effort. There is no resistance to the clinical faculty, no problem with attitudes with the tenure-track faculty. We need clinical faculty.

Tenured faculty in other disciplines and institutions feel very differently. As one remarked:

> Leadership must come from people who are academics. People of practice don't know

> what we do. I see them as second-class citizens. First-class citizens do research. The type of research the clinical faculty do is not what others would consider of reasonable quality. We don't want them to feel like first-class citizens. Tenure-track faculty have a seven-year contract and then they are judged. They get tenure or they don't. We want the tenure-track to feel there is a reason for all their work. We want there to be a distinction between tenure-track and clinical.

The credentials of the full-time, nontenurable faculty influence tenured faculty attitudes and are an important key to status and integration. When tenured faculty see the credentials of nontenurable faculty as equivalent or better than theirs, status tends not to be an issue. This is more typical of research professors, medical school faculty, distinguished senior faculty, and professors of practice.

> I was a tenured professor. ... I was well-situated. My wife was an academic, we had young kids. My wife got an offer. I gave [tenure] up. I came here. I renovated the laboratory and got three NIH grants. I served as a member of committees. Then I got a three-year appointment as a professor without tenure. My wife was tenured. [They said] "What do we do with him?" They gave me an endowed chair! I run a big research lab. I am in a department outside my discipline, but I teach a course. I never perceived myself as radically different from the tenured faculty. They pay me well.

In contrast, full-time, nontenurable faculty who are building their academic careers feel the status differentials and their vulnerability more strongly, even when they have had experience in other settings. Their nontenurable status is often tied to other important differentials such as assignments or location in special programs. When full-time, nontenurable faculty are "ghettoized" by assignment or location, they tend to feel marginalized. Status differentials also are reinforced through the language used in offer letters, terms of appointment, titles, salary, voting rights at faculty meetings, physical location of offices, eligibility for professional-development programs including sabbaticals, lack of career mobility paths, and arbitrary "rules and regulations" regarding their employment.

Colleges and universities seeking to integrate faculty work hard to minimize or eliminate these status differentials. One of the most effective ways of doing so is through faculty handbooks. All faculty appreciate a clear delineation of their rights and status in faculty manuals. When status differentials are codified in handbooks, there is normally a well-understood rationale for their existence, and mechanisms are in place for changing them. When status differentials are perpetuated informally in departmental practices or tenured faculty attitudes, they are more difficult to expose and change.

Some junior full-time, nontenurable faculty spoke about status differentials with anger and frustration:

> There is a tribal element to any organization. The tenured faculty are the tribe. They could make better use of us and encourage us.
>
> We have been assistant professors for a *long* time.
>
> I'd like to see [my institution] maximize the potential of people working at this institution. I wish the tenured faculty would initiate joint research with us. Being a clinical professor brings something of value. My value is not being communicated.

In some institutions, women predominate among full-time, nontenurable faculty. Occasionally, status differentials are linked to gender bias. A department head expressed his feelings:

> Two are women. They do not see [the school] as the place they will fulfill themselves. They see this as temporary until the kids grow up; not for the rest of their lives. We're going to bring them up for promotion. They can have careers. I see them as second-class citizens.

A nontenurable faculty member commented:

> The school has no interest in our development. Another program is in the same position. Both programs are filled with women.

Another woman who was a nontenurable faculty member pointed out:

> Our tenured colleagues are white, middle-aged men. They are the ones making the decisions. How many times do I have to break the glass ceiling?

Some nontenurable research professors who have worked their way up in nontraditional appointments within the same university resent the attitudes of their tenured colleagues and the way they are treated. They are hurt by the lack of job security after years of service to their institution and that their continued appointment is based primarily on their ability to produce funding:

> Basically the research professor is a slave. A university franchise. "We'll give you a lab, space. You bring in the money. If you don't, you're history. One-half of what you make, you give to me; one-half you keep. And if I don't like what you are doing, I throw you out." This is very different from tenure.

Security

For universities and faculty members, job security is the major difference between tenure and nontenure status. As currently practiced in most systems, tenure means "lifetime employment," with rare exceptions. This concept is increasingly being challenged within and outside the academy. A tenured distinguished professor, when asked for a definition of tenure, remarked:

> I'll be here, but I may not be doing what I'm doing now, and I may be paid half as much.

A nontenurable distinguished lecturer said:

> The whole world is moving away from a concept of lifetime security. I recommend universities leave themselves an avenue to bring in different combinations of people for academic purposes that can bring into the classroom knowledge regarding the quick pace of change. Students want an education to fit their careers; future employers are also concerned. Tenure defined as a right is a real problem. It blocks the ability of the institution to move fast enough.

Institutions tend to make the limits of job security for each type of appointment very clear in their policy statements. For example, Stanford University differentiates between tenured appointments (without limit of time) and nontenurable appointments (continuing term):

> Continuing terms of appointment may be terminated if satisfactory performance or programmatic need cease. ... Normally appointments of nontenure professors (Research) and (Applied Research) are coterminous with continued salary and other research support from sponsored projects. ("Report of the 1994-1995 Ad Hoc Committee on the Professoriate," Senate Document #4518, December 1995, p. 16)

Other institutions define tenure by location. Hastings College of the Law defines "clinical tenure" as a "status [that] confers 'security of employment' only as long as the College continues to operate an In-House Clinic" ("Recommendation Regarding Status of New In-House Clinical Faculty," internal memorandum from Rank and Tenure Committee adopted by the faculty May 5, 1991, p. 1).

When using full-time, nontenurable appointments, institutions avoid potential claims of "de facto" tenure with clear language in faculty handbooks. As Patricia Hyer, associate provost at Virginia Polytechnic Institute & State University, wrote:

> We faced this one about three or so years ago. We had been adhering to AAUP guidelines, which we felt required us to reduce full-time employment of nontenure-track instructors to part-time, or not to reappoint them at all after a period of six years to avoid any equation of "de facto" tenure. This meant that talented, place-bound instructors, particularly in English, ... were forced into part-time appointments with no benefits. ... We felt adherence to the AAUP standard prohibited us from treating these long-term nontenure-track faculty appropriately. We developed and passed through our governance system a policy allowing rolling multi-year contracts for nontenure-track instructors; these may be renewed indefinitely given availability of funds, need for services, and adequate performance. (Personal correspondence, December 14, 1995)

Newly hired full-time, nontenurable faculty generally have one-year contracts. With time, they move to three- and five-year renewable contracts. Some renewable contracts are capped and cannot be renewed after a certain number of years. Others are rolling contracts, which are extended

automatically contingent on satisfactory performance. Some institutions link the maximum number of reappointments to whether or not the nontenurable faculty member is promoted; others do not. After achieving a "rank" of associate professor, most nontenurable faculty qualify for multiple-year contracts without cap. In other words, at some institutions, appointments can go on for years without the security of a "tenure guarantee." For example, a proposed policy at Springfield College describes an agreement that would afford considerable security for faculty:

> A faculty member with five or more years of full-time service shall have the right to apply for a five-year "rolling" contract. A five-year rolling contract ... is automatically extended for an additional year as of the renewal/nonrenewal date (which shall be Feb. 15) so that absent notice of nonrenewal, the contract is a five-year contract in perpetuity. (Draft faculty personnel policy, November 29, 1993)

Since these contracts are rolling, notice of nonrenewal gives the faculty member four and a half years of employment under the existing contract (Gretchen Brockmeyer, personal correspondence, December 18, 1995).

In making reappointment decisions, most institutions said the reviews for reappointment were comprehensive and well documented. While some said a reappointment represented "decision time," stories about denial of reappointments were rare.

Job security is an important issue for most faculty, tenurable and nontenurable. Nontenurable junior faculty are very aware of the pressures on both tenure-track and nontenure-track faculty. As one said:

> Both clinical and tenure-track have lots of pressure on them. For the tenure-track, if you don't get tenure you are gone. Clinical faculty don't have the pressure of a tenure decision, but they don't have the stability of tenure throughout their careers either. When you get to a five-year contract, that's a fair amount of stability.

Many also saw nontenurable status as an opportunity to make lifestyle decisions. For some, current family responsibilities made tenure-track employment unattractive or impossible to consider. Senior nontenurable faculty, for the most part, are not as concerned about job security as an economic issue. For others, however, job security is an "appreciation" issue. Some feel exploited, particularly those whose continuing appointments are linked to raising the funds to support themselves and their programs. Some felt that after 25 or so years, the university "owed" them more security than a three- or five-year contract. A department head agreed:

> People have to have something. What about the person who brings in grants for 20 years? Then he reaches 50, and the grants drop off. What do you do — fire him?

Academic Freedom

AAUP guidelines state:

> Consistent with the 1940 *Statement of Principles on Academic Freedom and Tenure,* which calls for academic freedom for everyone engaged in teaching or research, Committee A, through successive editions of the *Recommended Institutional Regulations on Academic Freedom and Tenure,* has set forth safeguards for the academic freedom of all teachers and researchers, full-time or part-time, tenured or nontenured, regular faculty or graduate assistants. (AAUP 1990: 52)

Administrators, tenured faculty, and nontenurable faculty interviewed during the site visits agreed that academic freedom was not limited to tenured faculty in their institutions. They saw academic freedom protecting all faculty. As one associate dean said: "No faculty have come close to being fired for academic freedom."

Most institutions have extended academic freedom policies to those faculty considered to be members of the professoriate, including faculty who are nontenurable.

> Stanford University's central functions of teaching, learning, research, and scholarship depend upon an atmosphere in which freedom of inquiry, thought, expression, publication, and peaceable assembly are given the fullest protection. Expression of the widest range of viewpoints should be encouraged, free from institutional orthodoxy and from internal or external coercion. ... The holding of appointments at Stanford University should in no way affect the faculty members' rights assured by the Constitution of the United States. (*Faculty Handbook,* 5th ed, 1993, p. 31)

As one nontenurable professor (research) at Stanford said:

> I have [academic freedom]. It has not worried me. Tenure is not an issue. Stanford goes to court to support academic freedom for investigators. The university will not sign a contract that encumbers academic freedom. The coverage extends to everyone, including students.

While academic freedom was not an issue interviewees linked to tenure, it remains a core value for the professoriate (broadly defined) in higher education. As one faculty member said:

> I see no reason to link academic freedom and tenure. Academic freedom is not synonymous with tenure — it is an issue across the board for all teachers. Everyone is dealing with academic freedom whether they are full- or part-time.

However, a caveat is needed here. Policy statements such as Stanford's can be undermined when academic freedom is not coupled with a guarantee of job security. As the AAUP has pointed out in reference to full-time, nontenurable appointments:

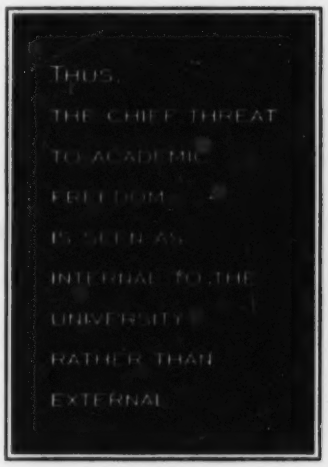
> Not surprisingly, the more cautious [faculty] among them are likely to avoid controversy in their classes or with the deans and department heads on whose good will

> they are dependent for periodic reappointment. The institution may express its commitment to protect their academic freedom, but to those whose appointment may not be renewed solely at the administration's discretion such a commitment may seem of little value — and best not tested. (AAUP 1990: 44)

Thus, the chief threat to academic freedom is seen as internal to the university rather than external. It exists in the power relationships between the tenured senior faculty who make decisions about the careers of the tenure-track and nontenurable faculty and those whose careers or employment are at stake. As one tenured professor remarked:

> Young assistant professors don't have academic freedom. They can't risk it with their more senior colleagues. Senior colleagues must like you.

Despite this reality, most nontenurable faculty interviewed did not mention academic freedom as an issue for them. Status differentials, career development and mobility, and some measure of job security were what they talked about during interviews.



Career Development and Career Paths

Waterman, Waterman, and Collard (1994) describe a new concept of "employability" as a potential replacement for the traditional job security developed by continuous employment with one company:

> People mourn its passing: the long-time covenant between employee and employer. We remember fondly the days when IBM could offer lifetime employment. And even if we didn't work for the likes of IBM, most of us understood that respectable companies would offer at least a measure of job security in exchange for adequate performance and some exhibition of loyalty. No longer. (87)

Waterman et al. advocate entering into a new covenant under which the employer and employee share responsibility for maintaining — and enhancing — each individual's employability inside and outside the company. Under this new covenant, employees are responsible for managing their careers, and companies are responsible for providing employees with the tools, open environment, and opportunities for assessing and developing skills (87f).

Lecturers at the Harvard Graduate School of Education epitomize the employability concept in their use of the Harvard affiliation to build their portfolios and gain academic recognition and additional breadth of experience. A nontenurable faculty member expressed his feelings about careers:

> There are a variety of incomes people seek from work: money, prestige, status, security.

> But, they also seek stimulation of colleagues, freedom to teach what you want, quality students, and time. These are incomes too. People balance which incomes are more important.

Most full-time, nontenurable faculty have academic career goals and are similar to their tenure-track counterparts in their attitudes about career development. They want to know the criteria for promotion and how the process works. They want assistance putting portfolios together and guidance in what activities are important and what are not. They are quick to recognize when criteria are clear and adhered to and processes are fair and open, and when they are not. They are impatient with extraneous rules, which prevent their full participation in governance or deny access to professional-development opportunities. Many of the site institutions extended professional-development opportunities, including sabbaticals, to all full-time faculty.

Where distinctions between tenure-track and nontenurable faculty were made, they usually were based on reasons related to assignment or other extenuating circumstances. At Hastings College of the Law, for example, the in-house clinical tenure-track position was started in 1991. Because it was a new, untried concept, tenured faculty put limitations on teaching outside the in-house clinical program when they voted approval of the in-house clinic. These limitations were frustrating to the new faculty who had curricular ideas they wanted to pursue within other areas of the law school. Tenured faculty and administrators who were interviewed felt these "rules," which seemed important to tenured faculty as the new program was created, will fade away as the in-house clinic program proves its value and the new faculty become better known. Similar restrictions on full participation were typical of institutions experimenting with full-time, nontenurable faculty appointments and working through a host of issues surrounding their integration as full members of the faculty.

The University of Virginia's School of Medicine has taken a proactive, school-wide approach to career development by initiating a comprehensive orientation program for all new faculty, which includes skill development in teaching, research, and clinical practice. The school has also designed a mentoring program where all newly appointed, full-time faculty members (tenurable and nontenurable) are assisted in identifying a mentor from a group of faculty selected by their peers for this role. Mentors serve as friends and colleagues; as confidants and advocates in the department, school, and even nationally; and as helpers in solving problems, opening doors to opportunity, and providing feedback or critique. The School of Medicine exemplifies the "role of the company" in Waterman, Waterman, and Collard's (1994) concept of career development leading toward employability.

One thoughtful senior professor of practice reflected on how to develop academic careers

outside the tenure system. He said that for persons such as himself who have had successful careers outside academe, career development is moot. But, he said, for the younger people, the nontenurable career path has to be made attractive in order to recruit the best faculty. If the institution is not offering tenure, then other incentives are needed — money, status, and image are important. He recommended long-term contracts, sabbatical eligibility, tangible evidence of respect such as voting rights, clearly defined career tracks with upward mobility, and a pervasive and proactive attitude about the career development of nontenurable people among all faculty and administrators. He felt that most nontenurable faculty in the professional schools have plenty of opportunities to leave the university. They stay because they like the environment and their schedules. To retain these faculty, he thought universities must keep them engaged with students and offer a status that encourages their commitment. If tenured faculty build these concepts into the full-time, nontenurable career, then colleges and universities will be more attractive to potential nontenured faculty. The result, he said, will be a "mix" of faculty that keeps colleges and universities at the forefront of thought and practice.

Summary and Conclusions

In many colleges and universities across the country, traditional tenure systems are changing. This paper has described six models for full-time, nontenurable appointments and discussed common issues that cut across the models. A summary of key points follows:

- Academic reasons, economic realities, students' interests, and the desire for flexibility on the part of individuals and institutions all contribute to change in the academic career.
- Increasing numbers of faculty occupy full-time, nontenurable positions.
- Professional and disciplinary cultures are part of the reason for the increasing numbers of full-time, nontenurable faculty. Professions such as law, medicine, education, and business attach more legitimacy to practice and utilize greater numbers of faculty from the professions. Other disciplines, such as engineering and basic sciences, which need external funding to support their research, use nontenurable faculty in purely research positions.
- The medical schools are at the forefront in redefining the academic career and faculty

status. It is worth emulating their creation of multiple career tracks based upon assignment, integration of tenurable and nontenurable faculty, provision of opportunities for career development and advancement, and recognition and valuing of the contributions of nontenurable faculty.

- Faculty and administrators in all types of institutions are discussing, experimenting with, and modifying their faculty employment systems. There are healthy debates going on within institutions about the nature of faculty appointments. New experimental programs are being tried and modified. What works best is not yet completely clear for many institutions.
- Full-time, nontenurable faculty in some institutions are included within the scope of academic freedom policies and have at least a measure of employment security. Most nontenurable faculty do not see academic freedom as an issue that will affect their careers. They assume they have it.
- Whether or not a particular appointment is tenurable is becoming less important to many faculty. Increasingly, faculty are disenchanted with the rigidities of traditional tenure systems and pleased with the wider array and flexibility in assignments available in clinical or practice positions. Junior faculty, both tenure-track and nontenurable, increasingly accept the idea that their continuation in employment will be based upon their performance and productivity in relation to institutional mission and needs.
- Faculty handbooks are defining the professoriate to include nontenurable faculty. The purpose, nature, and prerogatives of these nontenurable appointments and how they differ from tenure are being made very clear. For the most part, nontenurable career tracks follow appointment and review systems that are similar to the tenure track's.
- Full-time, nontenurable faculty are treated considerably better than part-timers in most institutions. Full-time, nontenurable appointments are more likely to be seen as positive employment alternatives to tenure. Salaries and benefits tend to be more comparable with tenure-track or tenured faculty. Membership in governance bodies, appropriate titles, and access to professional-development opportunities are common.
- Status differentials for nontenurable faculty persist in some institutions, primarily because of the attitudes of tenured faculty. Some tenured faculty view nontenurable faculty as "second class." Status differentials are more prevalent for the nontenurable faculty who are building academic careers. Tenured faculty tend to view as equals senior

nontenurable faculty who have succeeded in academia or other careers.

Tenure has been the driving force behind most college and university faculty employment systems for well over 50 years. The awarding of tenure has been a means for exercising quality control, making the academic career attractive, and protecting academic freedom.

Tenure will continue to exist, but it will be only one among a series of career paths available to faculty. Full-time, nontenurable alternatives are becoming more attractive to institutions and individuals, and the numbers of people in them are growing. The availability of nontenureable appointments can lead to far less emphasis upon what "track" a person is in and far more consideration of the individual's contribution to the institution. Performance and accompanying rewards can be measured by accomplishments within a defined assignment, regardless of tenurable or nontenurable status. "Opening up" the academic career has the potential to improve collegial relationships among all faculty, provide fairer and more thoughtful attention to individual faculty careers, and enhance productivity. ■

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